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Copy of a letter from Governor Gage, to the Hon. James Abercrombie Wardridge Bibb, William D Pickett and others, in relation to the Settlers on the Creek lands. dated

Tuskaloosa
20th January 1834

Gentlemen

I had the honor to receive by express, this morning, your letter of the 23 instant.

You state that "there remains no doubt of the intention of the Executive of the U. States, to remove the Citizens settled upon the lands which have been selected as Indian Reservations, in the Territory lately acquired by treaty with the Creek Tribe of Indians," and that "even those who have made purchases of Reserves and have not had time to have them certified by the agents, are included in the number to be removed."

I am decidedly of opinion, that those who have, for a fair and valuable Consideration, purchased Reservations of the Indians, but have not had the opportunity of having their Contracts certified in conformity with the instructions of the War Department, cannot be disturbed by the Marshal until they are rejected by the proper agent of the Government. These Contracts are expressly authorized by the treaty, and to expel the Settlers before they can have them consummated agreeably to the forms which have been prescribed, would be highly oppressive, useless & cruel, and a violation of the treaty itself. Mr Key, while here, repeatedly informed me, as he did others, that no one would be interested, who had possession of a Reservation, if he purchased it of the owner at a reasonable price. He held Conversations upon this subject, with individuals who had already made Contracts with the Indians, and assured them that they would encounter no difficulty in having them confirmed, and in retaining possession. Surely nothing could be more unjust or wantonly vexatious, than for the Marshal to interfere, in any case, when it might be reasonably calculated, that the Contract would be certified by the agent or sanctioned by the President; and I indulge the hope that your apprehensions are not founded on correct information. Should I be deceived, however, as I have heretofore been, in my opinion of the good dispositions of the Secretary of War towards the Settlers, it appears to me, that they are not without a sufficient legal remedy. I have little doubt, that when a Contract has been made on sufficient Consideration, the Judge of the Circuit Court, would restrain the Marshal, on a sworn statement, by writ of injunction, from dispossessing a Settler until he could obtain the decision

of the certifying agent. On this point however, some of the able attorneys among you, could doubtless furnish an opinion on which you might rely with more certainty & confidence.

The settlers who are in possession of reservations, which they have not purchased, and to which they have no color of claim, should place no difficulties in the way of the rightful owners. I hope they will yield quiet possession, whatever temporary inconvenience they may suffer, and thereby continue to occupy the high and strong ground upon which they have triumphantly maintained their rights against the encroachments of the Genl. Government. They have been sustained, in their recent difficulties, by the opinion and sympathies of their fellow citizens, because justice and law were on their side. Though they set up no claim to the land on which they had settled, and had nothing like a legal title to it, yet the written permission of the Secretary of War to occupy it until the reservations were located, and the imminent ruin in which their removal would have involved them, fully justified a resort to all legal means for their protection. Had they been forcibly expelled, the intreaty and wishes of the Indians would have been disregarded, the public faith, in some degree, would have been violated, and it may be added that the injury it would have inflicted on the Community, would have brought down upon the authorities of the Genl. Government the condemnation of the whole people.

These were the great considerations, together with that of the determined resistance to be expected from a gallant people driven to despair, which induced the Secretary of War to abandon his orders to the Marshal. The legal resistance by civil process, which I advised, had the effect temporarily to stay the march of the troops, but these would not have availed us without the aid of public opinion. But for this great ally which carries its terrors even to the seat of Government, we should have been nullified or attempted to be nullified upon an improved plan.

But the case now presented is very different. To withhold the reservations from the Indians after they have been assigned to them will be illegal as well as unjust. It would, in fact be inflicting upon these people, who present the strongest possible claims to our protection, a great and unjustifiable injury. The great body of them, I have always been informed, were opposed to the course of the government. They were in favor of the ~~Course~~ Cause of the settlers, and shall we now turn upon them and tell them, that you shall not have your own property until you obtain it by the slow and uncertain forms of the law. Let me urge you gentlemen to discountenance all attempts to involve

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as in a controversy upon grounds of right, which have been disclaimed by the settlers throughout the ceded Territory. It is true that the government has no legal right to expel persons from these reservations by Military force, but it is equally true they have just as little right to propose them to the exclusion of their former owners.

I have denied, on the authority of the Settlers themselves, that any intention existed among them to interfere with the reservations. They have said that so far from depriving the Indians of their property, they would save the Marshal the trouble of removing from their reserves, every person who might intrude upon them, by performing that duty themselves. The Secy: of war, I have no doubt, feels that the Revelations of so many troops at Fort Mitchel, (without any object,) has placed the affair, on his part, in a ridiculous point of view, and the refusal to give up the reservations would furnish a convenient apology. I cannot express how much I should be gratified, if it should turn out that not a single instance could be found, in which a Settler had refused to abandon their locations.

I have the Honor to be Gentlemen
with great respect your obt Servt
(Signed) John Gayle

The Hon James Abercrombie
Saundridge Bibb, M.D. Pickett
and others.

Copy of a letter from Governor Gayle to the Hon: James Abercrombie and others in relation to the settlers on the Creek Lands, dated

Tuskaloosa
16th June 1834.

Gentlemen

I had the honor to receive a few hours since your letter of the 12th instant, covering Resolutions of the same date, adopted by the Citizens of Macon County, at Polecat Spring.

I had determined to send a Special agent or agents among the Indians for the purpose of learning, if practicable, whether there exists any concerted design among them of attacking the White people, and to deliver to them a communication, which I trust will have the effect to make them perceive their true situation, and to impress upon them a sense of the ruin they would bring upon themselves by any insurrectionary movement.

You will receive herewith a Copy of this Communication, which I desire you will lay before the Chiefs whom you have appointed to meet on the 19th If it reaches you in time we shall probably be saved the trouble of convening them again; if not, they will be called together immediately. The agents who will be dispatched to obtain further information, will set out upon their errand tomorrow or next day, and will stand in need of all the facilities which our Citizens in that quarter can afford them. I need not ask you to aid them in any manner likely to attain the objects of their mission.

With the dissatisfaction now known to prevail among the Indians, it is undoubtedly the part of prudence to guard against any sudden acts of hostility which it is so much in their power to commit, particularly in parts of the Country that are thinly inhabited. I shall adopt without delay every measure that occurs to me, as necessary to render them more contented, or promptly to resist and put down any hostile movement on their part. In the mean time, I have to request that you keep me constantly advised of any occurences that will tend to develope their plans & designs.

I have the honor to be
Gentlemen very Respectfully
Your obt. Servt.
(Signed) John Gayle

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Copy of a letter from Governor Gayle to the former Chiefs and head men of the Creek Indians in relation to the Murder of W. G. F. & Lucas Clerk of the Circuit Court of Russell County Ala.

Executive Department
Tuskaloosa 15 June 1834.

Information has been Communicated to me, that W.G. & F. Lucas, the Clerk of the Circuit Court of Russell County, was killed by a Creek Indian on the 22nd May (last month) and that the offender made his escape and is lying out, so that he cannot be arrested and brought to justice for his offence.

It appears by the affidavits of respectable witnesses, that the life of Mr. Lucas was taken without provocation, and that he had no reason to believe his murderer bore towards him any illwill. He was peaceably sitting before his own door in the evening, under no apprehension of being molested, having given offence to no one, when he was cruelly and without warning shot down by the Indian before mentioned.

I am credibly informed, that the murderer of this respectable and valuable Citizen, is secreted in some retired place by his friends, who refuse to surrender him to the civic authorities, and express a determination to protect him.

You still exercise the influence and authority over these people that formerly belonged to you as Chiefs of the Nation. They still look to you for advice, and hold themselves subject to your direction and Control now, as they did before the treaty of March 1832. If you direct that this offender be delivered into the Custody of our officers, you will be promptly obeyed. I therefore look to you for his forthcoming, and require that you cause him to be delivered into the hands of the Sheriff of Russell County, without delay. Our laws secure to him a fair and impartial trial. If he be innocent of the murder of Mr Lucas, he will be set at liberty and restored to his friends, but if guilty he must undergo the punishment due to his crime.

It is my duty to inform you, that all persons who afford to this Indian any assistance in his efforts to prevent his capture, by advice or otherwise are punishable by our laws. I shall hold all such responsible and will cause to be inflicted on them exemplary punishment, unless they desist from their unlawful proceedings.

If you disregard the requisition I now make, to see that this outlying offender be given up, I shall take

immediate steps to secure his arrest, & to that end will send after him a force that will overcome any number of your people, that may be so rash as to attempt to protect him. It is my wish to avoid all harsh measures, and to do nothing that will bring trouble upon our red Citizens; but the laws must be obeyed, and cannot be violated with impunity.

I learn, with regret, that a feeling of hostility towards the white people, exists among you, and that you have made threats against them. Information has reached me, that some of your head men are trying to excite the Indians to acts of hostility, and are meditating the distruction of the white people who have settled upon the lands you have ceded to the U. States. This I hope is not true; but if I am mistaken, if such designs are entertained by bad and lawless individuals, I caution you to prevent their execution. Your good sence and experience must teach you that any such attempt would be attended with the certain destruction of your people.

You made a treaty with the U. States by which you have sold your lands. You reserved to yourselves the right of remaining and becoming Citizens of Alabama, or of removing west of the Mississippi; to the Country which the Genl Government has provided for your reception, and laid off for the future residence of your tribe. If you prefer the former alternative, you must yield obedience to the laws, must conduct yourselves as peaceable and orderly Citizens, and you will be protected in all your rights. But let me advise you to follow the example of the portion of your Nation, that has gone to their new home in the west. They have acted wisely, like men who wish to secure their own happiness and the happiness and prosperity of their children.

You can neither be contented nor prosperous in your present situation. You speak a different language from ours. You do not understand our laws, and from your habits, cannot be brought to understand them. You are ignorant of the arts of civilized life. You have not like your white neighbors been raised in habits of industry and economy, the only means by which any one can live, in Settled Countries, in even tolerable comfort. You know nothing of the skill of the white man in trading and making bargains, and cannot be guarded against the artful contrivances which dishonest men will resort to, to obtain your property under the forms of contracts. In all these respects you are unequal to the white man, and if your people remain where they are, you will soon behold them in a miserable, degraded and destitute condition.

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The government of the U States invite you to accept the proposition they make, to convey you to your new Country west of the Mississippi, free of expence, and to place you in a situation far preferable to what it now is.

I pray you to give this Communication your deliberate consideration. Reflect seriously upon its contents and let me know your determination.

I send to hold an interview with you Genl S. Dale and Col Rigys they are honest men & will speak the truth to you. Let them know all your wants and your grievances, and they shall be relieved and redressed, by every means in my power. In the mean time I shall expect that you will direct your people to demean themselves peaceably and to abstain from all acts of violence.

I am Respectfully Your
Obt Servt
(Signed) John Gayle

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Copy of a letter from Governor Clay & to Messrs. Tagg and Dale ~~Fortyfactors~~, in Relation to the disturbances among the Settlers in the Creek Nation and the Indians, dated

Tuskaloosa

18th June 1834

I have received information from sources to be relied on, that the Settlers in the Counties of Macon and Tallapoosa are much alarmed at appearances of hostility among the Creek Indians. They have some foundation for the belief, that there is a concerted design among them, to rise upon the whites about the period of their green Corn dance. My intelligence is derived from several letters lately received from that quarter, Copies of which I send you, that you may be in possession of the reasons which induce the Settlers to apprehend danger, and be able to direct your attention to the proper objects of enquiry—

In order to obtain more certain intelligence than these letters furnish, I have Concluded to dispatch two confidential agents to go among the Indians, where the best opportunities will be furnished of ascertaining their intentions. and have appointed you to perform this service.

The clerk of the Circuit Court of Russell County has recently been killed by an Indian, as you will perceive among the documents herewith furnished, without provocation and under circumstances of great cruelty. The murderer is said to be secreted by his friends who express a determination to protect him and to prevent his arrest.

I place you in charge of a Communication to the Chiefs, whom you will take the earliest steps to convene after your arrival. In your interview with them, you will probably be able to learn something of their intentions touching the hostilities they are said to be meditating, and of the true Causes of their dissatisfaction. While among the Indians and in all your interviews with them, it is important that you observe a conciliating course of Conduct, and impress upon them that the authorities of Alabama desire to protect them in all their rights, to relieve their wants, as much as possible, and redress their grievances. At the same time they should be made to comprehend fully, their relations, and their present situation with the white people and our laws. They cannot live among us without rendering obedience to the laws, and they must not indulge the expectation that they can Commit offences of any description, with impunity—

A State of society exists in the country ceded by the Creek Indians, that has no parallel in our history, and unless they can

be in advance to emigrate, will be attended with inconveniences that will counterbalance the advantages to be derived from the acquisition of their lands. In their present ignorance and with their Savage habits, they cannot be brought to submit to the restraints of Civilization, nor are they fitted to participate its benefits. The imposition to which, they are liable, and which will be constantly practiced upon them, in their intercourse with the whites, will keep them perpetually excited and dissatisfied, and looking as they do to no consequences beyond the destruction of those upon whom they seek to revenge themselves, they have at all times the power which they will frequently exert, of suddenly rising upon and destroying whole neighborhoods. This will sometimes provoke the vengeance of the whites, which could be appeased by nothing short of the extermination of the Savages.

It is therefore of the utmost importance that you persuade them to go to the Country which has been provided for them west of the Mississippi, before they experience the disasters which await them in their present situation.

Mr Lucas was a Gentleman, I understand, of Character and respectability. His Relations and friends are numerous and respectable. It is due to them as well as to the Community and the laws, that his murderer be brought to justice. You will learn, if possible, whether the information be true, that his friends will not surrender him or permit him to be taken.

But the supposed intention of the Indians to commence hostilities is my principal inducement for employing you to go among them, and to this object your enquiries will be mainly directed. I request that you will keep me advised of every thing that occurs, and let me urge you to reach the Scene of your investigations with the least possible delay. You are authorized to employ Runners and expresses as often as you may deem it necessary, taking care to keep an account of expenditures for objects of this kind. The sum of five dollars a day including your ordinary expences will be allowed you during your employment.

With great respect I am
Gentlemen your obt Servt

John Gayle

Genl Saml Dale
at the Rapids.

(Signed)

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Copy of a letter from Governor Gayle to Benjamin F. Curry esq. Superintendant of Cherokee Removals dated

Executive Department
Tuskaloosa 27th Sept. 1838

Sir

I have duly received your letter of the 13th of the present month, with its inclosures. I beg leave to assure you, that I will cheerfully aid the President in his efforts to remove the Cherokee Indians, by every means in my power, and that immediate steps will be taken to suppress any assemblies which they may convene to prevent their emigration. Those assemblies are prohibited by our laws, and instructions will be dispatched, by the mail which conveys this letter, to the Civil officers of the proper Counties, to use the utmost vigilance in discovering whether any such have been, or are likely to be held within their respective jurisdictions, and cause to be arrested all persons in any wise connected with them.

They will be directed also to apprehend all Indians or others who have committed offences of any description, with the view of preventing the removal of the Indians.

Should the Civil authorities be unable to execute the laws in these particulars, a military force will be sent to their aid without delay, sufficient to overcome any resistance they may have to encounter. In the meantime I have to request that you will keep me advised of the movements of the Indians, and of the difficulties you meet with in consummating the arrangements necessary to their removal to the West.

I am Sir very respectfully
Your obt. Servt.
(signed) John Gayle

Benjamin F Curry esq.
Superintendant of
Cherokee Removals.

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Copy of a letter from Hon. Govan to his Excellency Governor Gayle in relation to the printing and delivery of three thousand Copies of Allens Digest of the Laws of Alabama &c.

Tuscaloosa Feby. 9th 1833.

Hon. John Gayle
Sir

I have read your proposals soliciting application for Manufacturing three thousand Copies of Allens Digest of the Laws of Alabama, and delivering the same in the Town of Tuskaloosa, I have made a calculation with a view of applying for the same viz (as Manuscripts seldom ever make as much in print as authors anticipate) I have conjectured it will make at least 500 pages which would cost Two thousand nine hundred and Ninety three 00/100 dollars ($2993 00/100) which divided by five hundred would leave the expence of a single page whatever the size of the volume may be five 98 3/100 dollars 5.98 3/3

I do therefore offer to manufacture the three thousand Copies of said Digest in octavo form page the same size with Gordons Digest unpunctuated 1827 and to be equal in quality of Paper, Printing & Binding with the Standard Law Books published in the U States for five dollars Ninety eight & 2/3 cts per page and to deliver the same in the Town of Tuskaloosa free of any other charges. I would observe that the criterion you have fixed upon for the quality "equal to the Standard Law Books published in the U States is very indefinate, as for instance Johnsons Reports, the paper and printing of them, do not cost as much by 15 or 20 per ct as the book I propose now to make and there are no two booksellers perhaps would agree on that principle. The quality of the book you want I suppose to be considerably superior to the edition of Gordon in point of printing and paper, and bound in the best law sheep, double titled, this is what I have in view in my estimate. If calf binding was required, it would enhance the price of the page $1 80/100 that is $7.78/100 3/3 Nine tenths of the Law of late years is bound in Sheep & considered equally as strong as Calf, being now dressed in a superior style for beauty and durability. —

This job is completely in my line of business as I have lately made arrangements by putting up extensive buildings &c for the express purpose of publishing and manufacturing alone. The terms offered are as low as it can be done by

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ing one, in the Style I should like to turn out the books, at the same time could make the book the quality of Gordon from 5 to 10 per cent less, Boxing, Freight, Insurance &c you will no doubt take into view increases the Cost considerably over what it could be delivered for in Phil.a

I would observe that should there be any considerable delay on the part of the State, after the work is commenced, I would Consider myself entitled to interest on the paper & of printing done at the time - 50 to 60 days if the Copy is read will be sufficient for completing the printing, also that it is understood that payment will be made in par money in Phil.a Baltimore, New York or Boston.

The Security required will be furnished.

I also offer to do the Digest, the quality, or as near as may be, to the said edition of Gordon in point of printing & paper, binding Single titled at five dollars & fifty cents per page and delivered according to proposal, Half Calf binding be required one dollar and eighty cents higher.

Very Resp Yours

(Signed) Alex. Towar

of the late firm of Towar & Hogan

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Copy of a letter from Governor Gayle to Captain D. H. Bingham

Executive Department
Tuskaloosa 13 January 1835.

Sir

An act of the General Assembly of this State passed the 10 of this month, requires me to employ a suitable and skilful engineer, to survey and ascertain the most eligible route for a rail road from the mouth of Beaver Creek in St Clair County on the Coosa river to the Ketumpkee falls. Since our conversation of yesterday, I have concluded to engage your services as the engineer mentioned in the act, and you will receive this as your appointment. It is understood that you are to cause the work to be executed before the next annual Session of the General Assembly in Conformity with the provisions of the act under which you are appointed.

The law does not authorize any money to be advanced; but as your preparatory expences will be considerable, I will advance to you the work is commenced five hundred dollars, and also the like sum of five hundred dollars in Three months thereafter.

You are to look to the Legislature for the amount of Compensation for your Services -

I am with great Respect
your obt Servt
(Signed) John Gayle

Capt. D H Bingham
Greensborough

your draft for $500 on the 28 July 1835.

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Copy of a letter from Governor Gayle to Co6 Wm. P. Hallett President of the Mobile Bank

Tuskaloosa
18th Jany 1835

Dear Sir

You have no doubt received a copy of the act increasing the Capital Stock of the Mobile bank to $1.850.000, and the Number of its directors to 15. This sum was settled upon to secure to the State her due proportion of control in the institution, and to obviate the difficulties interposed by the act of the last Session.

The 5th Section of the act of the present Session, directs that a meeting of the Stock holders be called within Three Months, for the purpose of obtaining their Consent to its provisions. May I request of you to propose to your board, that this Meeting be Convened at the earliest practicable period? It will be to the interest of all parties for them to come to an early determination, for with all the despatch which can be used, the greater part of the present year will have expired, before the new order of things can be established. In the mean time it will be proper to fix upon the form of the bonds or Certificates of State Stock which we are directed to issue. This will be left with your board, as they can best determine what form will be most acceptable in the Markets where they will probably be offered for sale.

Should the proposed amendment of the Charter be not agreed to by the Stockholders, we are directed by the 7th Section of the act to issue certificates of Stock to the amount of $600.000, that being $\frac{2}{5}$ of the Capital of the bank, as authorized by the act of last winter. This however cannot be done, unless $200.000 of the Stock originally Subscribed, under the first Charter, and now owned by individuals, be relinquished to the State. The Capital is limited to one million and a half, of which $600.000 was authorized to be taken by the amended Charter, by individuals; two fifths or $600.000, therefore, Cannot be taken by the State unless the relinquishment just stated be made. Whether the State would have the right to insist upon this arrangement, will doubtless be Contested, if the present amendment be not agreed to; but I am inclined to think the words, for the reason that the Capital is limited to a certain sum, of which $\frac{2}{5}$ are absolutely reserved to the State.

I am sure, however, that this difficulty will not occur, as I confidently anticipate the unanimous acceptance of the proposed amendment. It is made my duty to appoint six directors on behalf of the State, I have come to the conclusion, in order to prevent and guard against all collusion to select one half of them from the present board. I am Sir with great respect Your obt. Sert

Col. Wm. R. Hallett (Signed) John Gayle
President of the Mobile Bank

Executive Department
Tuskaloosa 28th Jany 1833

S. C. Van Dyke esq:

D. Sir

By an act of the legislature passed at its late Session, I am authorized to employ a private Secretary at a Salary of $350, To be paid quarterly. I have Concluded to Confer this small office on you, & you will receive this note as your Commission -

Very respectfully

(Signed) John Gayle

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Executive Department
Tuskaloosa 18th February 1835.

Sir:

I have had the honor to receive your printed Circular of the 22 Inst. requesting information in relation to the Several Banks in this State, in compliance with a Resolution of the House of Representatives of the 10th July 1832, which is annexed to the Circular.

By our laws, Commissioners are appointed To examine, annually, the Condition and operations of all our banking institutions, who are required to report the result of their investigations to the General Assembly, at the Commencement of each Session. These Reports are very full and satisfactory, and exhibit the true Situation of the banks upon all the points embraced in the Resolution of the H of Representatives.

I transmit authentic printed Copies of the Reports of the Commissioners appointed to examine the branches of the State bank at Mobile and Decatur, and also the Reports of the President of the Mother bank located at the Seat of Government, and of the President of the branch at Montgomery, together with a duplicate Report of the Commissioners appointed to examine the last mentioned branch bank.

I beg leave to remark that all our banking institutions Consist of one State bank & branches, the Capital of which is owned entirely by the State, except the bank of Mobile, of which two fifths only of the Stock is owned by the State. Commissioners have been appointed to examine the affairs of this Institution whose Report will be forwarded as soon as I can obtain it. There is no doubt, however, that it has been managed with great prudence and that it possesses the entire Confidence of the public.

The subjoined Statement shows a list of the banks of this State, the dates of their incorporation and places of location. I have the honor to be very respectfully your Obt. Servt.

John Gayle

Hon: Levy Woodbury. Sec: of Treas (Regnd)

"Bank of the State of Alabama" located at the Seat of Government, Charter granted 20th December 1820.

"Branch of the bank of the State of Alabama" located at Montgomery—Charter granted 21 January 1832.

"Branch of the bank of the State of Alabama" located at Decatur—Charter granted 15 November 1832

"Branch of the bank of the State of Alabama" located at Mobile—Charter granted 4 December 1832

Bank of Mobile—located at the City of Mobile. Charter granted on the [illegible] 1818

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Copy of a letter of appointment to Messrs Mayo & Ash

Executive Department
Tuskaloosa 23rd Feby 1835

Gentlemen.

By an act of the 10 January 1835, authorizing the employment of an engineer to survey the most eligible route for a rail road from Bears Creek to Watumpkee falls, I am required to engage the services of two persons acquainted with the country, to assist him in the examination he may find it necessary to make, until he settles upon the track or route on which the road is to be located.

I held a conversation with Col Mayo before he left the Legislature, in which he stated it would be agreeable to both of you to be engaged in this employment.

I therefore take the liberty of selecting you as the most suitable persons within my acquaintance to discharge the duties required by the act, & request that you with receive this letter as your appointment.

I have appointed Capt Bingham, an engineer of high character to make the survey. He leaves in the morning for the purpose of entering immediately on the duties of his appointment

I am gentlemen very respectfully
your obt svt

John Gayle

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Copy of a Letter to Benjamin M Lowe President of the Branch bank at Huntsville.

Tuskaloosa 20th March 1835

Dear Sir.

I received by the mail of this morning, your favor of the 17th instant, and have to state in reply, that no offer has been made from any quarter for the purchase of the stock authorized to be issued by the act of the 10 January. There has scarcely sufficient time elapsed for bids to reach here from the Northern Cities; from which they were expected to be made, and I doubt whether any proposition will be made, until about the expiration of the time during which an advertisement is to continue.

The plan proposed by the act is the very most that could have been adopted, and I am done with officially pleasant the sale of the bonds at any thing above par. The notice we have given will afford Capitalists an opportunity to combine in the purchase, and when an offer is made, it will be the result of a common understanding among them.

I am almost tempted, thus in violation of the act to despatch an agent immediately; under the belief that it will be approved by the Legislature when they come to see the simplicity of the course which has been adopted. In the mean time I should be very glad to learn the views of your board in relation to the propriety of such a step.

A Gallatt of Mobile whom perhaps resides in Louisville, will leave for that City in a few weeks and I shall communicate him to transmit to me the earliest intelligence of the purchase of a sale in Europe. He will be ready to enter into a contract immediately, on the receipt of information that nothing can be effected here. I shall be pleased to receive from you, at all times, any suggestions which, in your opinion, will be likely to effect the object of the spirit of the act of the Genl Assembly & to secure the earliest practicable operations of the Branch at Huntsville.

I am Sir with great respect
your obt Servt

John Gayle

Benj M Lowe esq
Huntsville

167. Copy of a letter to the Hon Lewis Cass Secy of War

Executive Department
Tuskaloosa 27 May 1835.

Sir.

At this time, a state of things exists in parts of the country ceded by the Creek Indians to the U States, that requires the immediate presence of a respectable military force. In the counties of Macon & Russell, the Indian population is greatly larger than that of the whites, and confiding in superior numbers, they have placed the laws and civil magistrates at defiance. They are in the daily habit of committing the most daring depredations on the property of the settlers, and within a few weeks past, have murdered and robbed several innocent travellers on the highway leading from Columbus Geo, to Montgomery. The white inhabitants are alarmed to such a degree, that they offer no resistance, and the civil officers for want of assistance themselves, with neither open nor secret process for their apprehension. An agent whom I despatched several days ago, to enquire into the cause and extent of their difficulties, has just returned, and he represents, that the country is much excited, that the Indians ~~that the Indians~~ are exceedingly insolent, and are to be seen generally with their rifles. He states also, that many Indian families are destitute of the means of subsistence and with mournful alarm, of provision be not made for them. Whether their present situation and the disturbances complained of, are to be ascribed to the improper treatment of the whites, it is certain that order cannot be maintained, and the laws executed, ~~unless~~ unless a military force be at hand to afford prompt assistance to the civil authorities. I therefore respectfully request that a detachment of the troops of the United States be ordered to Fort Mitchell with all convenient despatch, and that the officer in whose charge they may be placed, whenever called on by the proper authority, may be directed to aid in the arrest of offenders. A company of infantry and a troop of Cavalry, or mounted riflemen would be sufficient. The latter would be the most useful and efficient description of troops, as they could move with greater celerity to whatever point their services

might be wanted &c. I should not hesitate to call out the militia of the State to perform this service, if we were not sure all classes of our citizens are busily engaged at this season of the year and would be capable of rendering much accommodation and appropriation by being taken, for any considerable time from their ordinary avocations

I beg leave to call your attention to the frauds— the infamous and unprincipled frauds which organized bands of speculators have practised and are still practising on the Indians in, first, obtaining their lands, and, then, the small and inconsiderable sums they may have paid as a consideration for their purchases. These impositions have acquired great notoriety, and an object of unusual consequence. I entertain no doubt, that the outrages which have been committed by the Indians, upon the innocent settlers and the innocent travellers, have been provoked by the injuries they have received from the speculators, & if they alone could be singled as the victims of revenge, they would meet but little sympathy from the honest part of the Community. But they are as ingenious and as unscrupulous in devising frauds, as they have been in defrauding them of their property.

Information has been received here, I know not on what authority, that the President has refused to ratify any of their contracts. It was hailed with great satisfaction by all parties, and a rigid scrutiny into each case would doubtless result in restoring to these miserable people property of which they have been wrongfully deprived, and in vindicating the administration against imputations under which it has unjustly laboured

I have the honor to be, Sir, very respectfully your obt svt

John Gayle

Hon Lewis Cass
Secy of War.

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Executive Department
Tuskaloosa 28th May 1835

Gentlemen

On my arrival from Mobile, several days ago, I received your Communication of the 5th instant, Covering the proceedings of a public meeting at the Court House of Pupell County, on the same day. I lost no time in despatching an agent to the Scene of the disturbance complained of, who returned on the Stage on Tuesday night. He confirms the information you have Communicated in relation, as here, to the depredations of the Indians as to their Starving and destitute Condition, leaving no doubt as to the necessity of affording protection to the Citizens and of restoring order to the Country. On mature reflection I have adopted the Course which appears to me the best calculated to Secure these objects in the most speedy and effectual manner. I have made a Requisition upon the Secretary of War for a detachment from our Regular army, to Consist of a Company of infantry and a troop of Cavalry or mounted Riflemen, and send you a Copy of my Communication to that officer. I had previously received undoubted assurances, that any Request I might make for aid from that quarter would be promptly complied with, and our Citizens who seem, now, to be overawed by the insolent outrages of the Indians, may rest assured, that the troops required will be with them, for their protection, in twenty five or thirty days. They will be stationed at or near Fort Mitchell for no other purpose than to give confidence and Security to the Settlers, and to aid the Civil officers in bringing offenders to justice. I, at first, determined to call out a portion of the Militia, but was convinced by Subsequent Reflection, that a Sufficient force could not be organized and brought into the field, prepared for Several months Service, Sooner than the troops of the United States could be marched to the Country. The inconvenience, too, to which our Citizens would be Subjected, by being called from their homes at this, the most busy Season of the year, and the total want of Camp equipage, and all other means necessary to their Comfort, even for a Short Campaign, left upon my mind no doubt of the propriety of the Course which has been finally adopted.

The evils to which our Citizens in the Creek Nation are Subjected, are of a Character to excite the Regret of all persons who desire the Settlement of the Country, the establishment of harmony, and the Supremacy of the laws. Whatever Number of troops may be Stationed there, the

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disorders that result from the presence of the Indians while, to some extent, continue to annoy the whites and to render their situation insecure. They are starving and must of necessity prey upon the property of their neighbors. Nothing short of their removal to the country which has been provided for them, will render a residence in that part of the State, tolerable. I believe that a strict and vigorous execution of the laws will induce them to emigrate.

As soon as it can be effectually done, I shall direct all civil officers, where they reside, to publish and enforce our laws against vagrancy. Having deprived themselves of the means of honest subsistence, and rejecting as they appear to do, the humane and liberal provisions which the government has made for their future residence and comfort, they will not be countenanced in their depredations on the pleas of indigence and necessity.

I beg leave to call your attention, Gentlemen, to that part of my letter to the Secretary of War, &c. which I accord to the impositions which have been practiced on the Indians. To you, and to those occupying, as you do, the highest standing in the Community, & who seek your laws, the honest, but less influential part of the Community must look for a correction of this crying evil. The grog shops too, which I understand are the most common establishments throughout the Country should receive your prompt and decided repression. They are generally established as I learn for the accommodation of the Indians, and can any one doubt, that to these foundations of Crime and immorality are to be ascribed many of the difficulties which our citizens have to encounter.

I have the honor to be
Gentlemen very respectfully
Your obt. Servt.

John Gayle

Gen. A. Abercrombie
S. Stephen M Ingersoll
Majr. Jno. G Wortham
Thomas J Martin Esqr.
Col. Samuel C Benton
Mr. John Goodwin
Committee

121 S. H. Withers appointed Private Secretary on the 2nd of November 1835 — by — C. C. Clay

C. C. Clay jr was appointed Private Secretary on the day of April 1836.

C. C. Clay.

Albert E. Leach was appointed private secretary on the 2.d of August 1837.

P. W. Clay.

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To his Excellency
C. C. Clay, Esq.
Governor of Ala.
Sir,

Mount Vernon, Arsenal Ala.
July 8th 1836.

I am directed by the Government of the United States, to issue on the requisitions of the Generals, or field Officers, commanding any portion of the forces operating against the hostile Indians, such arms and munitions of war as may be required for this Service. Having notice through the public press, that the Creek Indians are likely to become troublesome, I deem it proper to communicate to you, as the Chief Magistrate of the State of Alabama, the orders of the War Department to me, in relation to this matter.

I have the honor to be Sir
Very respectfully, Your Ob't Sv't.
(Signed) E. Harding Capt. 3rd.

N. B.

It is proper to acquaint you what kind of stores we have on hand — 10,000 new muskets, with buck shot, and ball cartridges, and 10 pieces of field Artillery, completely equipped.

" " " " " " " " " "

To) Gen.ls T. A. Walker & Lieut. W. Garth, with the Order for the Creek Regiment

Sir, The foregoing is a Copy of an Order issued to Maj. Gen. Garrett of the 7th Division. If Gen Garrett be absent, the Officer next in command is of course, charged with the execution of the Order.

(Signed) C C Clay

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War Department
Jany 21st 1836

Sir,

The recent intelligence which has been received here, respecting the state of affairs in Florida has rendered it expedient to order Major General Scott to proceed to that Territory and assume the direction of the operations against the Seminole Indians, and also against the Creek Indians, should these latter have engaged in hostilities, as from recent information, there is some reason to apprehend.

I am instructed by the President to request you to call into the Service of the United States, and to place under the Command of Maj Genl Scott such portion of the Militia of Alabama as he may require to be employed in suppressing the hostilities of the above named Indians. It is expected that the Militia thus called out will serve at least three months after they arrive at the place of rendezvous unless sooner discharged.

I beg leave to suggest that the authority thus conferred upon General Scott will enable him to increase, modify or revoke any requisition which may have been made by Genl Clinch in conformity with the letter which I had the honor to address to you on the 8th Inst.

This authority will also supersede the powers entrusted to those officers on this subject as soon as Genl Scott shall have taken the personal direction of operations.

Very respectfully
Your Most Obt Svt
(signed) Lewis Cass

To his Excellency
C C Clay
Governor of Alabama

" " " "

To His Excellency
C C Clay
Gov of Alabama.

Head Qrs 4th Eastern Dept
Augusta, Geo. Jan. 31st 1836

Sir.

I have the honor to transmit with this, a duplicate communication from the Secretary of War.

In pursuance to the authority conferred upon me I have deem to call upon your Excellency to place under my Command one regiment of infantry, or infantry and

riflemen, to serve on foot, for three months (unless sooner discharged) against the Seminole Indians in Florida.

I will beg your Excellency to appoint Mobile as the rendezvous for the regiment, whither I shall send Col Lindsay of the Army to muster it into the service of the United States, & to accompany it to its point of destination Tampa Bay. Col Lindsay will also cause the regiment to be supplied with the arms, the accoutrements, the ammunition, subsistence & whatever else may be necessary to its efficiency in the field.

I regret to the Creek Indians on the borders of Georgia, I will beg your Excellency to confer with Col Lindsay, to whom I shall give such instructions as may be deemed necessary. If, after conferring with him, a force should be deemed necessary to observe, & to hold in check the Creeks, I have to request that you will furnish that force, & place it in the position that may be determined upon by that Conference. The force shall be mustered and taken in to the Service of the United States. In the meantime I need not add how important it is with a view to the operations against the Seminoles, that the regiment from Alabama, destined to act from Tampa Bay, should be speedily raised by draftin, or volunteering & embarked for that place.

I have the honor to remain
Your Excellency's Most Obt. Servt.
(Signed) Winfield Scott,

——" ——" ——" ——" ——" ——"

Tuskaloosa, July 18th 1836

Sir.

In obedience to instructions received by me from Maj. Genl. Scott Commanding the Army of Florida, directing me in case of evident necessity to request your Excellency to place a regiment of Infantry in observation upon the Creek Indians, I have the honor to request that a regiment of Infantry be raised and ordered to such point on the Eastern frontier of this State as your Excellency may deem best for effecting the object Contemplated when it shall be mustered into the Service of the United States, armed & equipped by an officer of the United States Army appointed for that duty.

I have the honor to be
Very respectfully
your obt. Servt.
(Signed) J. Mc Lindsay Col 2d Regt

His Excellency
C. C. Clay

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Order to the Maj Gen.l of the 2.d 16.th Div.s — Executive Department.

Sir — Tuskaloosa Feb.y 1836

Major General Winfield Scott of the United States Army, having, by the authority of the War Department, made a requisition upon me, as commander in chief of the Militia of the State of Alabama, for one regiment

Executive Department.

Order to the Maj. Gen.s of the 7.st, 3.d & 4.th Div.s Tuskaloosa. Feby 18.th 1836.

Sir.

Colonel Lindsay, of the United States Army, having by authority vested in him by Maj. Gen.l Winfield Scott, made a requisition upon me for a regiment of infantry, to be mustered into the Service of the United States, and to serve as a Regiment of observation upon the Creek Indians, You are hereby ordered, to cause your command, to be assembled by regiments, without delay, and to accept of Volunteers, to the number of —— Companies, and if Such number do not Volunteer, you will make up the deficiency by draftings. The companies must be of Mounted Infantry, and each company to consist of one Captain, one Lieutenant, one Ensign, four Sergeants, four Corporals one Bugler, & Sixty four privates, and will be required to serve three months, unless Sooner discharged. The Companies being raised, you will Cause them to rendezvous at Vernon Autauga by the 10th of March. They will there be furnished with arms, and accoutrements, and all necessary equipments by Capt. Harding of the U.S. Army, and be mustered into the Service of the United States, to act thereafter under Any Ordered. If a majority of the Companies which Compose the regiment, Should be Volunteers, their regiment will be suffered to elect its own

Officers, Consisting of a Colonel, Lieutenant Colonel, and Major, to whom Special Commissions will be issued.

I am Sir, very respectfully,
Your Obt Servt
(Signed) "C. C. Clay"

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1st Letter
From the Gov. to Capt. Harding

Executive Department.
Tuskaloosa, July 20th 1836

Sir.

A regiment of Infantry having been Called into the field, to act as a regiment of Observation upon the Creek Indians, and Vernon, Autauga County, having been Selected as the place of rendezvous, where the Companies have been ordered to assemble by the 10th of March, you are requested to have forwarded immediately to that place, Arms, munitions, accoutrements, and every thing which may be requisite for their Complete equipment.

Col. Lindsay informed me, that he would direct you, to muster the regiment, and Muster them into the Service of the United States — agreeably to which understanding, the enclosed Order was written — I shall expect you to attend accordingly. Please let me hear from you in reply at the earliest moment.

I am Sir, very respectfully,
Your Obt Servt
(Signed) "C. C. Clay"

2d letter,
From the Gov. to Capt Harding

Executive Department,
Tuskaloosa, March 2d 1836

Sir,

I wrote to you on the---- Ult. by mail, that I had, on the requisition of Col. Lindsay, under the Authority of Genl Scott, ordered into the Service of the United States, a regiment of Infantry (to be mounted) to act as a Corps of Observation on the Creek Indians; that this regiment was ordered to rendezvous at Vernon, Autauga County, Alabama, on the 10th inst. Where it was expected to receive its arms, & equipments, and be mustered into the Service by you. I also requested you to cause the arms &c. to be transported to Vernon and that you would attend at that place on the 10th to perform the Service Suggested. Not having received an answer, as I fear in consequence of the failure of the mail, and aware of the bad consequences which may result from a disappointment, in any respect, I have taken the liberty to address you this note by the Choctaw, and expect my request. It would perhaps be better to Carry up a thousand or more muskets, and other military accoutrements — as they will probably be required in some of the more Counties above Montgomery.

I am very respectfully, Your Obt Servt
C. C. Clay

(Intended for the Choctaw, Sent by the Courier)

From Genl King, to Govr. Clay.

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Head Quarters, Vernon, Ala.
March 10th. 1836.

Dear Sir,

The most of the Companies have arrived, and there is no preparation made for their reception — Capt. Harding has not as yet arrived with the arms and accoutrements for the troops, and it is believed by some that he will not come. I have requested the Captains of Companies to take Care of their Companies, until to-morrow eleven Oclock, at which time they are required to assemble, and elect their field Officers. This is a poor place, and the troops cannot remain here long, unless provisions and forage are forwarded here, from some other quarter. I think it would be best for them to march up to Montgomery, where they could get supplies. You will please let me hear from you as quick as possible.

I am your Ob.t Servant.

E. D. King Maj. Genl.

Answer of the Gov. to Genl King —

Greene County, Ala.
March 11th. 1836

Dear Sir,

I have just received yours of the 10th inst, from Vernon. It is now near 12 oclock at night, but I hasten to reply to you as far as may be in my power, that your express may return without loss of time.

I am astonished to learn that Capt Harding of the United States Army had not arrived, nor the necessary arms, accoutrements &c been forwarded to Vernon. I was expressly assured in the requisition of Colo Lindsay, that the regiment, when raised should be mustered into the Service of the United States, armed, & equipped, by an Officer of the United States Army "appointed for that duty." Col. Lindsay being at Tuskaloosa, when the Order was agreed upon, and in fact when it issued, we had a conversation on the Subject, in which Capt. Harding was the only Officer spoken of, for that duty; he was the Officer who had the custody of the arms, and by whom (as well as by Colo Lindsay) I had been informed, that any number required for the contemplated Service, would be furnished; and I have not to the present moment, received any notice, or intimation to the Contrary. Very Shortly after issueing my orders, calling for the regiment of observation, now assembled at Vernon, I addressed a note to Capt. Harding apprising him of what I had done, requesting the transportation of Arms, and other equipments, to that place by the 10th inst. which I informed him, was the day of rendezvous; and requested him to attend at the time, & place, named, for the purpose of mustering them into the Service of the United States. This note was sent by mail. Fearing however, that the mail might have failed to deliver the letter, as I had received no reply from Capt. Harding, about the 3d inst. I addressed him another note by the Steam boat Courier Capt Cleveland in which I repeated the substance of my former note, and required my

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request for the arms &c and for his attendance at Vernon, on the day of rendezvous. I have stated the substance of both notes to Capt. Harding from memory, not having the Copies with me; but Mr. J. M. Withers, now at Vernon, is fully apprised of their Contents, and can state them.

I have made the foregoing explanation for the Satisfaction of yourself, and the Officers and men Composing the Regiment; in reply more immediately to your enquiries & apparent difficulties, I desire you to change the position of the regiment to any other place, you may deem more eligible in the vicinity; it may be changed to Montgomery or the neighbourhood of that place, if you think proper. You remark that "Capt Harding has not yet arrived with the arms and accoutrements for the troops, and it is believed by some, that he will not come!" The troops cannot take the field without arms and equipments, and they must be mustered into Service. If the arms &c shall not have arrived, when this reaches you, & you shall not have received any Satisfactory explanation from Capt. Harding, or assurance that he will be at Vernon in a very few days, I know of no proper Course, but to discharge the troops, and suffer them to return to their homes. You will Consider yourself authorized to exercise a Sound discretion, but I cannot perceive the propriety of Continuing the regiment together longer than Monday morning, if no arms are received, and no Satisfactory assurance from Capt. Harding in the mean time.

I am Sir, very respectfully,
Your Obedient Servant,
(Signed) C. C. Clay —

Oak Grove, Perry County Ala
March 15th 1836 —

From Genl King to the Gov. —

Gov. Clay.

Dear Sir,

Having heard nothing from Capt. Harding, I dismissed the Troops Composing the Regiment of Observation, yesterday about ten Oclock, A. M. — I requested the Captains of Companies to make out a correct account of the expenses of their Companies, and hand it over to the Col: Commandant, I ordered him to consolidate the same & forward to the Secretary of State, I informed you of the course I had pursued, by the mail of yesterday. Mr. Withers can inform you more fully of my course — I would like to hear from you, whether you approve of my course — I am Yr. obt. Sv't.

E. D. King —

Letter from Capt. Harding to the Governor.

To his Excellency
C C Clay
Gov. of Alabama.

Mount Vernon Arsenal
March 10th 1836

(Postmarked 9th)

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Sir,

Your letter of the 2d inst. per steamer Choctaw, advising me you had written on the — ult, requiring my service at Vernon, Autauga County, and on the authority of General Scott, to muster in the service of the United States a Regiment of Ala. Mounted Infantry, was received this morning.

As this is the first official information I have received on the subject I need scarcely add, your call has caught me somewhat unprepared. Although your communication is not such as I feel would justify me with the Government of the United States, in leaving my post, yet as one portion of our Country has of late been wantonly devastated by the Seminole Indians, and the exigencies of the times, appearing to call for prompt action, in regard to the Creeks, I shall not hesitate to obey your Summons — and must rely upon your Excellency for authority, in quitting my important trust at this place.

I have the honor to be, Sir,
Very respectfully Your Ob't Sv't
E Harding Capt. 3rd.

Capt. Harding to Gov. Clay —

Mount Vernon Arsenal
March 12th 1836.

To his Excellency,
C. C. Clay —
Gov. of Alabama

Sir,

Owing to some unaccountable delay on the part of the Mails, your Communication of the 20th ult.o was not rec.d until after my letter to you of the 9th inst. had been dispatched —

I perceive Yr. Excellency did not send me the written authority of Col.o Lindsay, for Calling the Vernon, Regt into Service, which paper will be necessary in order to legalize the Muster — & ought to accompany the Roll to Washington City — I will however waive this objection, & on the 14th you may depend on my being at Vernon to muster the men into Service, & in the meantime you will please forward the Order of Col Lindsay to my address at this place — Very respectfully, I am Sir,

Yr. Ob't Servant
(Signed) E. Harding
Capt. 3rd.

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Mount Vernon Arsenal
20th March, 1836

To his Excellency
C. C. Clay—
Govr of Ala.—

Sir,

I returned to this Post yesterday from Vernon, Pantaya County, whither I had been called by your communication of the 20th ult. and 2d inst. for the purpose of mustering into the service of the State, a Regt. of mounted Infantry, to be used as a Corps of observation on the Creek Indians.—

On the 16th inst. I reached Vernon in the Steamer "Florida" with the arms & ammunition for this object: but there learning, that the troops had been dispersed by yr. order on the 14th and finding no orders or instructions whatever for myself, I deemed it most prudent to return immediately to my station, with public property, which I had in charge—

You are already informed of the late date on which your letter of the 20th ultimo & 2d inst were rec'd by me to which Cause alone, the failure of the expedition is to be attributed.—

I am Sir
with perfect respect
Yr. Obt Servant
E. Harding
Capt. Ord.

From the Governor, to the Secretary of War.

Executive Department, Ala,
Tuscaloosa, July, 26th 1836

Dear Sir

Deeming it necessary, from the doubtful aspect of affairs among the Creeks, that some force should be stationed among them in order the more effectually to watch their proceedings, & to restrain them from acts of depredation & hostility, I have, agreeably to the requisition of Col. Lindsay, made by the authority of Gen Scott, called into the field, a regiment to act as a Corps of observation upon them — The requisition, called for Infantry, but coinciding in opinion with Col. Lindsay, that one Regiment of Infantry, was perfectly inadequate to the performance of the duty required of them, & that mounted men in such service, would be far more efficient than thrice their number on foot, — I have called for mounted Infantry, to rendezvous by the 10th of March, ready for the service.

Col. Lindsay for want of authority did not make a requisition for this kind of troops, yet he expressed himself, most

decidedly in favor of them, and doubted not, that the Department, taking into consideration the object of the Regiment, the extent of Country (near two hundred Miles) they had to guard, & the present Spirit of discontent manifested by the Indians, who are reduced almost to a State of Starvation, & are collecting together and committing depredations upon the Settlers, would readily concur in the same opinion, & sanction the Order thus given.

Earnestly desiring that the Course I have pursued may meet with your entire approbation, & requesting an answer as soon as may be consistent with your convenience

I have the honor to be
very respectfully
your most Obt. Servt.
(Signed) C. C. Clay

To his Excellency
Lewis Cass
Secy of War.

From the Secretary of War to the Governor

War Department
March 15th 1836

Sir,

Your letter of the 26th ult. on the subject of the regiment of mounted men, called by you into the service of the United States, has been for some days before the Department, and I have delayed answering it, because a bill was pending before Congress, making certain provisions respecting the Militia, which might bear upon the question proposed by you. As it has not yet, however, become a law, I can no longer postpone writing to you.

I have submitted your letter to the President, and he has instructed me to say, that as the force called out, was ordered into service upon the requisition of Gen. Scott, acting under the authority of this Department, which requisition was made through Col. Lindsay, and as the description of force was varied from Infantry to mounted Infantry, in Conformity with the opinion of Col. Lindsay, though not with his Official Sanction, as he did not feel authorized to give it, that this change is under the circumstances, stated by you, approved.

I am instructed also to say, it appears to the President that the State of affairs in the Creek Country so far as they are known here, do not justify the further continuance of this force in Service. To authorise the President to call out a Militia force, there must be either actual hostilities or evidently impending danger of them. The evidence in the possession of the Department does satisfy the President that this is the case at present in any part of the Country occupied by the Creek Indians. He therefore desires immediately on the receipt of this letter, unless circumstances should have arisen to shew the necessity of keeping them troops in Service, that you cause them to be discharged without delay. If there were any disposable regular troops, which could be spared for that purpose, they should be immediately ordered to Alabama, as this is a course which it is competent for the Executive

at any time to take. But the operations in Florida, and the condition of the Army prevent this measure. As far as the Presidents Constitutional power extends, it will be exercised to afford protection against any hostilities of the Creek Indians. But this can only be done, as I have before stated, when the proper exigency arises.

Very respectfully
Yo. most. ob. Sv.
Lew Cass

His Excellency
C. C. Clay
Governor of Alabama,
Tuscaloosa
Alabama —

Executive Department, Ala,
Tuskaloosa, July 20th 1836 —

The Hon:
Lew Cass
Sec? of War.

Dear Sir,

Information (upon which I can rely having) reached me that there are at this time about 2500 Creek Indians who have taken up their residence in the Cherokee Country in this State, without any apparent means of subsistence & much against the inclination not only of the White Settlers, but of the Cherokees themselves, I would respectfully beg leave to direct the attention of your Department to the obvious necessity of removing them to the Country destined for their residence beyond the Mississippi, at as early a period as practicable. Reduced almost to a State of Starvation, and driven as they have been from that part of the Cherokee nation within the limits of Georgia, by the rightful owners of the Soil, it is to be apprehended that the present State of excited feeling against them, may drive them to commit deeds of rapine or murder, which may excite the White Settlers to acts of retaliation, & ultimately lead to their utter extermination — Having sold their reservations secured to them by the treaty, and removed from the territory formerly claimed by their tribe, it is respectfully suggested that they have no longer a legal claim to a residence in any part of this State, & that nothing short of their entire removal beyond the Mississippi, will secure to our citizens in their vicinity, the peaceable enjoyment of their homes. — Tho' no positive evidence has been adduced of any hostile intentions on their part, indications of the sort have been reported to me, which require that a strict watch should be kept over them —

Should you think it advisable, & will authorize or request me to do so, I will order out a sufficient force, & deliver them to any authorized agent of your department, at any designated point on the Tennessee River within the limits of this State, at such time as you may appoint — It is believed that nothing short of the exhibition of a force entirely competent to remove them will induce them to go, tho' it may be hoped that no actual appeal

arms will be necessary.

I send you enclosed, documents received from the part of the Country into which the Creek Indians alluded to, have intruded themselves.

I have the honor to be
Very respectfully
Your mo. ob. Sv.t
C. C. Clay

Sec. of War to the Gov:

War Department
March 12th 1836.

Sir,

I have had the honor to receive & have submitted to the President your letter of the 20th ult.

The situation of the Creek Indians in Alabama occasions great solicitude to the President. Every consideration of humanity & policy, both as regards them and our own citizens requires their immediate & entire removal. A stipulation however in the treaty of 1832, with the Creek tribe, provides that these Indians shall not be compelled to remove, but shall be free to go, or stay as they please. That treaty as you are aware made large Cessions to the United States, and at the same time provided considerable reservations for these Indians. The necessary arrangements for taking a census, for ascertaining individual rights, for making the locations &c - and for selling & certifying the contracts, have been in operation almost the whole time since the formation of the treaty. much delay in the final arrangements has been recently occasioned by frauds, which have been alledged to have been committed, and by the necessary investigations growing out of these allegations. It appears that the Indians have been unwilling to remove until these questions are definitively settled. And it has been found very difficult to prosecute the investigations upon correct practical principles, and with the dispatch, which was desirable. These circumstances, probably, combined with some others of less importance, have delayed the removal of these Indians, and do still continue to delay it. The necessary instructions have been given to expedite these investigations as rapidly as possible, and all the requisite arrangements have been authorized for the removal of the Indians as fast as they can be persuaded to go. This seems to be the extent of the authority which the President can exercise upon this subject. If ulterior measures should become necessary, these can alone be introduced by Congress. I cannot but hope that a considerable portion of these Indians will remove without much further delay, and under existing circumstances the President does not feel himself at liberty to accept the proposition you have made respecting the forcible collection of the Indians by the State authorities, and their delivery at some proper point of embarkation to the Agents of the General Government. A state of things may certainly arise, calling for the most decisive measures. Should the Indians actually commence, or clearly meditate hostilities, or should delay their removal, and thus become more depraved in their habits, and so reduced, as there is reason to apprehend they will be, that they must subsist by plundering the inhabitants — the law of necessity will certainly justify their forcible transfer to the Country provided for them, West of the Mississippi.

Should the President become satisfied that the Creek Indians are determined not to remove, and thus to incur their own destruction, while they occasion great injury to our citizens, he will probably recommend for the adoption of congress, a plan for their removal, based upon the new state of things. —

Very respectfully
Your mo. ob. Sv.t
Lewis Cass

His Excellency
C. C. Clay.
Governor of Alabama
Tuscaloosa,
Alabama

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Executive Department Ala
Tuskaloosa, March 22d. 1836.

Hon. Lewis Cass:

Sir.

Enclosed I forward a Communication from Major Genl. Garrett; another from Colo. William B. Martin (who is Inspector Genl. of Genl. G's Division); another from the Officers of three Companies, which were sent by Genl. Garrett to Benton, the place of rendezvous for the Regiment of Observation (of which I spoke in my last) but did not arrive till the Regt. was disbanded; besides Communications from meetings of the Citizens of Several Counties, or from their Committees, and from individuals, expressive of their own views, and those of their neighbours, in reference to the probable Course which may be pursued by the Creek Indians. These Communications disclose the apprehensions of the Citizens of Several of the Counties, formed out of the territory lately Claimed by the Creeks, and also those of the Citizens of Montgomery County, which borders on that territory. These are only Specimens of the Sentiments and fulings of the people of the Counties generally in that part of the State, as I am led to believe from Communications which I am receiving by almost every Mail. — From these documents, it is hoped, you will perceive the expediency, if not necessity, of Calling out Such force of Mounted Militia, as will give Safety, as well as Tranquility, to all who are amongst, or on the borders of, the Creeks, and Cherokees. I cannot doubt that Such a Measure is necessary, from all the information I have upon the Subject. And I have no doubt that a body of well armed, and equipped Mounted Men, ranging through the Country, inhabited by the Creeks, and Cherokees, would have a most favorable influence on the emigration of both tribes.

Let me most earnestly entreat you to take Such Steps, or give me Such authority, as will at least protect the lives of my fellow Citizens. — Should my request be granted, I trust you will Cause Such orders to issue, as to arming, equipping, and mustering the troops into Service, as will prevent another failure. I recd a Communication from Capt. John Page, of the U. S. A. by the last Mail, bearing date on the 15th. inst. by which I am informed, that he has been appointed Mustering Officer by Genl. Scott, for all the the troops called into Service by the Executives of Georgia & Alabama. I cannot by whom these duties are performed, but beg that I may be furnished with a duplicate, or Some other Official evidence, of any Such Order, as Soon as it may be given.

By the mail of the 19th inst. I recd another letter

from Capt. Harding, dated "Mount Vernon Arsenal, March 12th" 1836 a copy of which you will find enclosed. In this letter, he refers to his 2d letter of "the 9th inst." Showing that to have been the true date - and says, "On the 14th you may depend on my being at Vernon &c" The troops were not discharged till the 14th, when Capt. H. had not arrived - nor did he till the 16th, as I learn by the Montgomery Advertiser, which is published in the vicinity. You will observe, moreover, his letter being dated on the 12th and assuring me that he would be at Vernon on the 14th - he only considered two days necessary for the trip, from one point to the other. If this be the fact (and I have no doubt it is) what prevented him between the 9th and the 14th (being five days) from performing the duty? And why did he not address the Commanding Officer at Vernon, directly informing him that he would come, instead of merely addressing me at this place, about one hundred & twenty miles distant, across the Country? There is something inexplicable, to my mind, in the circumstances attending this failure.

Hoping to hear from you at as early a day as may suit your convenience —

I have the honor to be,
Very respectfully
Your obt. Svt.
(Signed) C. C. Clay -

From Capt. John Page. U.S. Army to the Governor —

Fort Mitchell Alabama
15th March 1836 -

Sir,

I have the honor to report to you, that I am appointed mustering Officer by Maj Gen. Scott, U.S. Army to muster into the service of the U. States such troops as may be presented by the Governors of Georgia & Alabama -

I leave to morrow to muster into service three Companies of mounted Militia from Georgia, stationed about 8 miles below this on the Georgia Side - Should there be any from Alabama, I am subject to yr. orders to muster them into the U. States Service at any time & place you may designate -

With respect
I have the honor to be
yr. obt. Svt.
John Page, Capt
U.S. Army

His Excellency
Clement C. Clay
Gov of Ala

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Executive Department. Ala
Tuskaloosa, March 21st 1836

Sir.

Yours of the 15th inst. only reached me by the last mail, and not in time to answer by its return.
I regret that I did not received your communication earlier for on the 14th inst, under my authority, Maj. Genl. King disbanded a Regiment of Observation upon the Creek Indians, which had been previously Ordered to rendezvous at Bunnon, Autauga County, on the 10th, and had done so, as well for the want of an officer of the United States to receive and muster them into Service, as to furnish them with Arms, Munitions &c. I had relied on Capt. Harding of the U.S. Troops at Mount Vernon, to perform both duties; but he failed to attend, or to give any notice, that was received, till after the Regt. was discharged. I shall call on the Secretary of War to authorize me to call out another Regiment, or Battalion, by the Same mail that Carries this. If you deem such a force necessary, or if Such should be the opinion of the Officer Commanding at Fort Mitchell (whose address I have not the pleasure to know) I would be glad one or both of you would without delay, address the Secretary on the Subject. I should also be gratified to receive Such News, as you, or the Gentleman alluded to (if you do not command) may entertain, in regard to the probable Course the Creek Indians will pursue. Do you believe that any considerable number have yet joined the Seminoles, or that they intend doing So? Have they recently manifested any indications of intended hostilities against the whites? Information in reference to these points, or any others, of which either of you Choose to speak, will confer a favor. Is there not Some danger that the Seminoles, when they find themselves likely to be overwhelmed by a Superior force will attempt to fly into Alabama and mingle with the Creeks for Safety? I have the honor to be

very respectfully
your Obt Servt
(Signed) C. C. Clay

Capt. [illegible]

From the Gov: to the Sec: of War

Executive Department — Ala
Tuskaloosa March 3d 1836

Sir,

Enclosed you will receive the certificate of Major Washington Moody A.D.C. Adjt Genl of the 8th Brigade 2d Division, of Alabama Militia, shewing the expences incurred in the transportation from this place to Mobile of three companies of the Regiment called into service from this State under the requisition of Major General Scott of the U.S. Army. Some of the companies were larger than necessary; and they amounted to about two hundred & fifty men, besides officers. The usual rate of passage & fare from this place to Mobile is $12,00 — estimating the whole number at 250, only, the average charge was but $6,40 per man, which I consider altogether reasonable, as the Captain of the Steam Boat was bound to go without delay, and with no more freight than might be necessary for ballast. The distance is about two hundred and forty miles by land, and much more (but I cannot speak definitely) by water.

As this has been the mode of transportation from the interior to Mobile for all the troops raised in this State for the Florida Service, it may be well to add a few words by way of explanation.

Genl Scott's requisition appointed Mobile as the place of rendezvous and without appointing a day, requested that the Regiment should be there as speedily as possible. The situation of Florida at the time — at the mercy of a victorious Savage foe — admonished me that no time should be lost. The posture of affairs with France, then, too, left it uncertain, how soon Mobile might require troops for defence. Under these Circumstances, I thought it better to take no men from the Division embracing Mobile; and, for the sake of the utmost expedition, to call them from the 2d Division, lying principally on the Black warrior river, and from the 6th Division, on the Alabama river, both of which, at this Season, furnishes ready Steam Boat transportation.

I am gratified to say that every thing succeeded agreeably to my most sanguine expectations. This, (the 2d Division) particularly, distinguished itself for patriotism and promptitude. I required its commanding General to furnish only one Battalion of five Companies; and, on less than ten days notice to most of the regiments, eleven Companies, Several of them containing more than the number required, reached this place, after travelling night and day, more than a hundred miles, and tendered their Services. Not a man was drafted — and many more Volunteers would have presented themselves, if they had entertained hopes of being received. A Sufficient number of Volunteers, to form the other Battalion, was raised in the 6th Division; but I am not yet so well informed as to what may have transpired there.

It is with some State pride, I indulge the belief, that there will not be a finer Regiment in the Florida Campaign, than that from Alabama.— Some of the Companies that came here, from Counties, from fifty, to more than an hundred miles distant, and were disappointed because their services were not required, incurred expences in travelling, and while here, which they ought not to pay. And some of those who went on, also expended money in preparations, which perhaps might have been furnished at the place of rendezvous. I would be glad to be informed by what rules the Department will be governed in the adjustment of such claims— as I shall probably be applied to, to forward them. You will pardon me for saying, that I trust every thing will be done, which can be, justifiably, to encourage, rather than oppress or cool, this generous ardor, and laudable patriotism.—

I have the honor to be,
Very respectfully
Your most obt Svt
C. C. Clay—

Hon.
Lewis Cass
Sec. of War
Washington City—

Sec: of War to the Gov:

War Department
March 23d 1836—

Sir,

I have the honor to acknowledge the receipt of your Excellency's communication of the 3d inst. and in reply beg leave to refer you to the accompanying report of the Quarter Master General.— You will perceive that the accounts for the transportation of the Militia, recived into Service, have been directed to be paid. Those for the Militia, not so recived, must await the result of the deliberations of Congress, to which body the subject has been submitted.

Very respectfully, Your mo: obt. Svt.
(signed) Lew Cass.—

His Excellency. C. C. Clay—
Gov: of Ala. Tuscaloosa, Ala.

Quarter Master Gen.'s Office.
Washington City, March 22? 1836—

Sir,

I have the honor to report on the communication of Governor Clay of Alabama of the 3d instant, referred by you to this Office, that the account for the transportation of the Regiment of Militia received into Service and ordered to Florida is of the same character of accounts heretofore paid for similar services, and I have directed the agent of this department at Mobile to pay the amount due.

The expences of the Companies that assembled at Tuscaloosa and were not received into Service, cannot be legally paid without the authority of Congress—

I return the letter of Governor Clay. and I am Sir,

Most respectfully.
your obt. Sevt
(signed) Th: Jesup
Q.M. General

The Hon,
Lewis Cass,
Sec'y of War,
Washington City.

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Executive Dept. Ala.
Tuscaloosa. March 19th 1836.

Hon Lewis Cass.

Sir,

Enclosed herewith, you will receive copies of Maj. Genl. Scott's requisition addressed to me, under your authority, dated Jany. 31st 1836; the copy of a letter from Col. Lindsay to me dated Tuscaloosa, Feby. 18th 1836, a copy of my order to the Maj. Genl's of the 1st 3d & 4th Divisions of Alabama Militia for the Regiment of Volunteers required by Col. Lindsay; and also copies of my correspondence with Capt. Harding of Mount Vernon Arsenal & with Maj. Genl. King of this State.

Pursuant to my order the Regiment assembled at Vernon Autauga Co. Ala. on the 10th inst., except one or two companies which did not arrive in season. You will perceive that no arms were issued, no officer of the U.S. attended to receive & muster the Regiment into service nor was any intelligence received from Capt. Harding, up to the 16th inst. when Genl. King, acting under my authority discharged the troops, & suffered them to return to their homes.

I regret this disappointment extremely, on several accounts. In the first place, I believe the services of this Regiment would have been useful not only in subjection but also in repelling the semi-hostile Indians when they find themselves about to be overwhelmed by a superior force in their probable attempts to join & mingle with the Creek Indians for mischief. In the second place such a disappointment is likely to chill the ardor which stimulated the men composing this Regiment (and many more) to abandon their customary employments, their homes, and their families, & enter into the service of their country.

Regarding the effects likely to be produced upon the public service & justice & the State of Alabama, and the brave & patriotic men who volunteered their services, I think, with due deference, the conduct of Col. Lindsay & Capt. Harding, both demand an investigation. If Col. Lindsay gave Capt. Harding orders, or even notice to attend at Vernon when required by me & furnish arms, munitions &c. for the Regiment, & muster it into service I do not perceive that he is liable to censure. If on the contrary, he failed to do so, having given me no notice that any other officer would, or had been required to perform that duty, I think he has not done his duty. If Capt. Harding received notice from Col. Lindsay (which however he denies) that he was required to assemble Regiment, & muster it into service & had notice of my order (which was published probably in every newspaper in the State) I see no plausible apology for him in any respect. But if Capt. Harding received his order, or notice from Col. Lindsay, I cannot perceive on what ground he can be excused; because he had notified me in

his letter of the 18th ult. that he was "directed by the Government of the United States, to issue on the requisition of the Genl. or field Officers commanding any portion of the forces operating against the hostile Indians, such arms & munitions of war as might be required for that service" In that letter he referred to the probable hostility of the Creek Indians & after reading my orders to the Brig. Genls. of the 1st 3d & 7th Divisions or Extract of my letter, must have seen that the nature of the service was such, as had been contemplated by the Government. His letter to me bearing date on the 8th but post-marked the 9th inst. says that my letter to him of the 2d. was the first official information he had received on the subject.

Admitting this to have been the fact & that my letter of the 2d. inst. only reached him on the 9th (the day his answer was mailed) he had five days for the transportation of the arms &c. to Vernon. The mail is near the river Vernon is on the river steam boats are running almost daily between the two points — & I am informed, it is only about 30 hours run from one point to the other. What Capt. Harding was doing those five days, that he neither sent the arms &c. nor attended himself, nor wrote to the commanding officer of the Regiment at Vernon that he would or would not be there may perhaps be explained by him to the satisfaction of the Department, but I deem it altogether unjustifiable.

It is unnecessary to enlarge upon the evils which may result from the necessary discharge of this regiment not only as to a probable junction of the Creeks with the Seminoles but to the safety of the population in the eastern part of this State. They will be apparent to yourself, & to the President. Both as regards Col. Lindsay & Capt. Harding, upon the correspondence enclosed, & this brief explanation, I submit the question whether an investigation is not demanded by the interests of the public service as well as by justice to the State of Alabama.

I have the honor to be,
Very respectfully
Your Obt. Servt.
C. C. Clay.

Executive Department Ala.
Tuscaloosa March 11th 1836.

Hon. Lewis Cass
Sir,

Since the discharge of the Regiment of volunteers upon the Creek Indians, which had been called out upon the requisition of Col.

already informed by my communication of the 19th inst.) I have received the returns & vouchers of the officers commanding companies. They are in various forms as you may well imagine; when you reflect that the officers are just from the occupations of their farms, plantations & other employments, unpractised in arms, and all the ceremonies & formalities of the camp. Sometimes the accts are exhibited under the name of an individual, acting as Quarter Master; sometimes, & indeed more frequently, by the Captain commanding a company, sometimes the acct or some items of it, may be found supported by the receipts of individuals, furnishing provisions or forage; & sometimes no evidence besides the statement of the acct & the certificate of the Quarter Master, or commanding officer of the company or corps. I have no doubt of the correctness (that is the justness) of all the claims which have been presented, but I am unacquainted with the rules or regulations by which such accts are settled by the Department. Hence I shd it better to ascertain what evidence would be required, as well as the form in which the claim should be stated. I hope as soon after the receipt of this, as may be consistent with other duties, you will cause the proper forms & instructions to be forwarded, to prevent the delay & difficulty which might otherwise attend the adjustment of these claims. I presume the expenses incurred after the companies were assembled in their respective counties, on their march to the place of rendezvous, while there, on their return home, will all be paid.

Is there any officer in this State, or could one be ordered to some point convenient to the majority of the Regt. for the adjustment & payment of their Claims? If this could be done it would subserve the convenience of all in a very great degree. At what rate will the troops be paid, for the few days they were engaged marching to & from the place of rendezvous, & in camp?

Altho' the sums advanced by the by the different individuals may be small, most of them are in limited circumstances & they are important to them.

I have the honor to be
Very respectfully
Your Obt. Servt.
(Signed) C. C. Clay.

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Executive Depart. Ala.
Tuskumbia April 6th 1836

Gen Lewis Cass:

Sir:

On the 22d ult. I did me the honor to enclose certain documents & letters forwarded to me from the Creek Nation exhibited by the Creek Indians, showing the apprehensions felt by the citizens of those counties, some of the adjacent ones, on the subject of threatened & pending hostilities on the part of that tribe; & requesting a competent force for the protection of that part of our population. I now enclose a copy of a letter from Capt. Isaac Page U.S.A. dated at Fort Mitchell on the 6th inst. & also a letter from Major Silas H. Howard commanding a Battalion of Georgia Militia, at Fort Hawkins, dated 2d inst. together with a copy of one from James E. Glenn Esqr. of 29th ult. enclosed in the latter all in reference to the continued depredations & hostile indications of the Creek Indians. The letter from Capt. Page is in reply to one from me to him, bearing date 24th ult. in which I sought information which I did not precisely in his power to furnish, as to the commander alluded to. The other communication was made spontaneously by Maj. Howard.

Not having yet received a reply to my letter of the 22d ult. (before referred to) & from the tenor of your communication of the 12th & 19th ult. entertaining some doubt as to the character of the news which may be received. I felt it my duty to forward this additional information for your consideration & that of the President. I think the facts stated in the letters of Capt. Page, Maj. Howard, & Mr. Glenn, in connection with those heretofore communicated, will abundantly prove that if there be not "actual hostilities" already commenced by the Indians, there is evidently impending danger of them.

Referring to my communication to you of the 22d ult. for my views on this subject, more at large which remain unchanged, I beg leave to renew the expression of my most earnest hope that such Militia force will now be authorized to be called into service, as may be sufficient to ensure ~~safety & tranquillity~~ to our citizens.

I am, Sir,
Very respectfully
Your obt. Svt.
C. C. Clay

Executive Dept. Ala.
Tuskaloosa, April 18th 1836.

Hon Lewis Cass

Sir

On the 15th inst I addressed you on the subject of apprehended hostilities from the Creek Indians, & enclosed copies of letters from Capt Page of U.S.A. Major Howard, commanding a Battallion of Georgia mounted militia, and a Mr Glenn, a respectable and intelligent citizen of Barbour county in this State, all showing the grounds on which these apprehensions were entertained. In the same communication I expressed my desire that a competent military force should be ordered into service for the protection of that portion of the citizens of this State amongst whom the Indians [illegible] & referred you to my letter of the 22nd ult for my views upon this subject more at large. My last has not been mailed an hour, before Genl Abercrombie, sent us an Express from Russell county and bearing a communication from a highly respectable meeting of citizens of that county & Barbour, arrived at this place. You will find a copy, which I have carefully compared with the original, enclosed. The apprehensions, which I have held for expected for the safety of the citizens in that quarter of the State, are not wholly confirmed, but increased, by late developments. If I am not justified in saying actual hostilities have commenced, I am at least fully sustained by well ascertained facts, in affirming there is "evidently impending danger of them." If the evidence heretofore communicated has not been sufficient to satisfy the President of his authority to call out a Militia force against the Creek Indians, I think I may now, upon this additional testimony, appeal to him with confidence for the exercise of that power. I entertain sanguine expectations however that your reply to my communication of the 22nd ult which I may expect to receive in a few days, will bring me all the authority desired.

To be prepared for emergencies, & ready for the most prompt defence of our citizens, if the Indians should unfortunately realize our apprehensions by commencing a war, I have despatched an agent to the U.S. Arsenal at Mount Vernon with a requisition on Capt Harding for ten thousand muskets and sufficient ammunition for that number of armed disciplined men, & deposited in the care of a responsible Officer of the Military division which includes that place. In the course of a week I expect this order to be executed by Capt Harding, or by my agent whom I have instructed if Capt H. declines or refuses to perform the duty required to demand the arms &c, and, if obtained, to transport & deliver them himself.

I shall hope to hear from you at the earliest moment compatible with your convenience.

I have the honor to be
Very respectfully
your obt. Svt
C. C. Clay

1926

Executive Department Ala.
April 19th 1836.

Sir,

By an Express which reached me night before last I have recieved information which I consider entitled to implicit confidence, that the Creek Indians in Barbour, Russell and Macon Counties have lately manifested the strongest indications of the most hostile purposes & claim that they are frequently found assembled in large bodies armed and uttering threats of violence against the White settlers. Strong and apparently well founded apprehensions are entertained by the White inhabitants, that the lower Creeks generally will shortly commence an open war upon them. Under such circumstances I feel it my imperative duty to make the most speedy preparations for prompt and efficient defence; and must therefore request you with the least possible delay to transport to Montgomery, and deliver to Major Lt Col Chevaer of the Sixth division of Ala Militia or such officer ~~of his~~ as he may designate to take charge of them two thousand muskets with such supply of buck shot & ball cartridges as would probably be required for that number of arms during an ordinary tour of militia service.

To avoid the possibility of delays, incident to ordinary channels of communication, I have entrusted the delivery of this requisition to Colo Aaron Shannon whom I take the liberty to introduce to your acquaintance.

I shall be glad to hear from you in reply at as early a moment as possible

I am, Sir
very respectfully
your obt svt
C C Clay.

Capt E. Harding
U.S. Arsenal
Mount Vernon, Ala.

Executive department Ala.
Tuscaloosa April 17th 1836.

Colo Aaron Shannon

Sir,

Having constituted you the agent of this department to be the bearer of this a requisition to Capt. Harding in command of the U. S. Arsenal at Mount Vernon Ala for arms &c to be transported to Montgomery for the use of this State it is proper that I should apprise you of the object in view and give you some instructions in regard to the course which may become necessary to ensure a certain and prompt execution of the order referred to.

In the course of last week I have recieved several communications and amongst them an address from a meeting of the citizens of Russell & Barbour Counties setting forth facts which justify the apprehension that the Creek Indians in that part of the State meditate if they have not already commenced hostilities against an defenceless citizens. Many outrages have already been committed perpetrated against the persons and properties of the white Settlers, some of whom have removed their families from the part of the country alluded to in order to preserve them from the tomahawk and Scalping Knife. To remain longer

time and without the preparation to depend on pellow citizens thus surrounded by dangers would be wholy unwarantable. Hence I have felt it my duty to make the requisition with which you are charged on Capt Harding for the immediate transportation to Montgomery of "two thousand muskets with such supply of buck shot and ball cartridges as probably would be required for that number of men during an ordinary tour of militia service"

It is to be presumed that Capt Harding will immediately proceed to comply with the terms of my requisition by transporting and delivering the arms at the point designated with all practible despatch. In the possible event however that he may refuse or decline to do so you are authorized and instructed to demand of him the arms and ammunition embraced in my requisition, and to take every step you may deem necessary for their speedy transportation and delivery at Montgomery under your own direction to Major Genl Shearer or such officer as he may designate to recieve them. Should this duty devolve on you, you will contract for the transportation and all necessary incidental expenses on the credit of the State having due regard to economy; no doubt is however entertained but that the Government of the United States will promptly discharge the amount of any such contract. I shall expect to hear from you from the arsenal at the earliest moment

I am very respectfully
your obt Sevt
C C Clay

Col. Aaron Shannon.

Executive Department.
Tuskaloosa, April 18th 1836.

Major Genl. Gilbert Shearer.

Sir,

I have recently received, by express, such intelligence from the counties of Russell & Barbour, (which is fully corroborated by letters from Capt. Page U.S.A. at Fort Mitchell, and Major Howard, commanding a Battallion of Georgia Militia, near the Chattahoochee,) as leaves little doubt that the Creek Indians in that part of the State meditate hostilities against the White inhabitants. So strong is the evidence of a determined spirit of hostility, amongst those who are usually called the "Lower Creeks" that I have despatched Col. Aaron Shannon, of this place, to the United States Arsenal, at Mount Vernon, with a requisition on Capt. E. Harding, who is in command of that place, for two thousand muskets, and a sufficient quantity of buckshot, and ball cartridges for an ordinary tour of militia service.

I have instructed Capt. E. Harding to transport & deliver at Montgomery the arms & ammunition required, to you, or such officer as you may designate to receive them, with the least possible delay. In the mean time, I have given Col. Shannon written instructions, in the event that Capt. Harding should refuse, or decline, to transport & deliver the arms &c. agreeably to my order, to demand their delivery to him; and have required him to transport them under his

own direction, and deliver them, in the shortest practicable time, to yourself, or the officer (who may be) designated by you to receive & take charge of them at the same point. I presume there can be no doubt, that the arms will be obtained, and delivered, as required, by Capt. Harding, or Colo. Shannon.

The object intended to be accomplished by this step will be apparent to you. Although, I did not feel authorized, by the facts presented, to order into immediate service any portion of the Militia, such were the grounds to apprehend danger to our fellow citizens residing in the part of the State which has been mentioned, that I felt it to be my imperative duty to make the contemplated preparation for their defence. Arms and ammunition being deposited at Montgomery, or in the vicinity of that place, would be convenient for the use of those, who would be most near to our suffering inhabitants, & therefore most apt to go first to their relief.

You are therefore required to cause the necessary arrangements to be made for the receipt, and safe keeping of the arms & ammunition, which may be delivered at Montgomery by Capt. Harding, or Colo. Shannon, to yourself, or the officer whom you shall designate for the performance of that duty. You are at liberty to make the deposit of the arms &c. either in the Town, or at any place in the vicinity, which you may deem more suitable, and sufficiently secure.

Taking into view the distance of the Seat of Government from the theatre of probable hostilities, and your command bordering upon the country at present occupied by the hostile Indians, I think it proper to say, in the event of your receiving satisfactory information that they have commenced actual hostilities against the white settlers, you will be expected to afford the most speedy relief & protection in your power. It is not my intention to impose upon your Division, the burthen of carrying on the anticipated war with the Creek Indians — they have already furnished a Battalion for the Florida campaign — but as the town of Montgomery is the most convenient place of deposit for the arms & ammunition, and the most prompt assistance might be expected from your command, owing to its proximity to the enemy, I desire you to hold such volunteer companies as are already formed, or as may be formed with a view to the contemplated service, not exceeding one Regiment, in readiness to march at a moments warning. Such a force would be an efficient vanguard — they would hold the enemy in check, and afford temporary protection to our citizens — and I would soon bring to their aid a sufficient force to overwhelm our savage foes, and reduce them to an conditional submission.

I shall be anxious to hear from you as soon as possible, particularly in reference to the receipt of the public arms — please write by return mail, and acknowledge the receipt of this.

I am, sir,
Very respectfully,
Your Obt. Svt.
C. C. Clay.

To
Major Genl. Gilbert Shearer,
Selma,
Alabama.

Selma, May 2nd 1836.

His Excellency C. C. Clay.

Sir,

Yours of the 18th ultimo, advising me of the information you had recently received in relation to the situation of affairs in that part of the State occupied by the Creek Indians, and directing me to take measures in case I shall find it necessary for the protection of the white population, who are intermixed with them, was not received by me until the 30th ult. having been absent ~~from~~ the time of its arrival here.

The arms and ammunition refered to, I am advised by Col. T. H. Radford, Adjutant Gen.l of the Sixth Division, have been received by him at Montgomery, deposited in security & held subject to my orders.—

Rest assured sir, that no time will be lost in affording prompt and efficient relief to our Fellow Citizens, in the event of my being informed "their (the Indians) having actually commenced hostilities"— but from the best information, I have been able to obtain, I have, at present, no reason to anticipate such an event. I have conversed with a Gentleman who has spent a good deal of time in the Creek country since January, and is recently from there, who gives it as his opinion, that there is nothing to apprehend from the Indians, unless the daily intrusions committed on them by the whites, should drive them to desperation. — I also find this same view of the subject taken by the Editor of a Montgomery paper, and also by that of the Georgia Journal. These Prints convey that many persons are interested in producing an alarm, and provoking hostilities, with the hope of diverting a scrutiny into their own fraudulent transactions with the Indians.

Be this as it may, I shall be ready at all times to execute any order, which your Excellency may deem necessary to address to me. —

It is stated in a Montgomery Paper that orders have been rec.d by Brigadier Gen.l Watkins of this Div.n and Scott of Gen.l Erwins Div.n for each of them to hold a Regiment in readiness for immediate service. I know not, if this is the fact, but if so, and an application should be made for the arms, or any part of them now under my control, I wish to be instructed, whether they are to be delivered, but in the event of their being ordered to march. —

Very respectfully
Your Obd.t Serv.t
Gilbert Shearer,
Maj.r Gen.l 6th Div.n A.M.

To His Excellency
C. C. Clay,
Tuskaloosa,
Alabama.

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Executive Department
Tuskaloosa, April 22d 1836.

Sir,

On the 18th inst. I addressed an order to Maj. Genl. Shearer, of which you will find a copy enclosed requiring him to receive, or to designate some officer of his Division to receive and take charge of two thousand muskets & sufficient ammunition for an ordinary tour of military service with that number of arms, which I had required to be transported & delivered at Montgomery, by Capt. Harding of the U. S. Army commanding at the U. S. Arsenal at Mount Vernon, or in his default by Capt. Aaron Shannon, whom I had appointed agent for the State, on this service. I have this evening received a letter from Maj. Genl. Tredwell of Selma, informing me that Genl Shearer is absent from home & will be, in all probability, for some time: consequently, he will not have it in his power to execute my order. As the officer next in command of the 6th Division of the Militia of Alabama, the absence of Genl. Shearer, the duty required devolves on you; & you will proceed to execute the order addressed to Maj. Genl Shearer. You are referred to the enclosed copy of that order, for the manner in which that duty is to be performed.

I am Sir, very respectfully,
your Obt. Servt.
(Signed) C. C. Clay.

To the Officer commanding the
6th Division of Alabama Militia

P. S. Please acknowledge the receipt of this order & report, as early as possible, in what manner you have proceeded under it.

Respectfully,
(Signed) C. C. Clay.

Mount Vernon Arsenal,
April 22d 1836.

His Excellency,
C. C. Clay,
Gov. of Alabama

Sir,

Col. Shannon, the bearer of your Excellency's letter of the 17th inst reached this post yesterday morning & he will leave today with 2000 stand of arms, 40,000 cartridges, 4000 flints & 100 set of accoutrements.

I regret that I have not enough of the latter article to fill your order, the Florida war has nearly exhausted my stock & most of those I now send have been used but they will notwithstanding answer very well for another campaign. I am expecting the arrival of more accoutrements in a few days when if necessary you can be furnished with a further supply. The cardless manner, generally, in which the hands on board of our steam boats handle freight has suggested the idea that Col. Shannon should accompany

the stores as far as Montgomery, and there deposite them in the care of your agent. This course has been deemed advisable by us both, but more particularly myself in order to ensure a safe & prompt delivery of the arms.

I have the honor to be Sir,
respectfully &c.
(Signed) E. Harding,
Capt 6th

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Executive Depart.
Tuskaloosa, April 22d 1836

Hon. Benajah S. Bibb,
& Co. Jas. E. Belser &
Wm E. Benson Esqrs.

Gentlemen:

Shortly before the 14th inst. I had received several communications from highly respectable individuals & one by express from a meeting of the citizens of Russell & Barbour Counties, setting forth facts to induce the conclusion that the Creek Indians in that part of the State meditate, & in all probability will shortly commence hostilities against our fellow citizens. To be prepared for defence I despatched Colo. Shannon, of this place to the U.S. Arsenal at Mt. Vernon with a requisition on Capt E. Harding for two thousand muskets & sufficient ammunition for an ordinary militia war with that number of arms, to be transported & delivered at Montgomery by Capt. Harding, to Maj. Genl. Sheaver of the 6th Division or such officer as he might designate to receive & take charge of them. This evening I have received a letter from Selma informing me that Genl. Sheaver is absent from his Division & likely to continue absent for some time; in consequence of which I have despatched an order by express (Mr. Jas. Parker, who will also deliver this) to the officer next in command, requiring him to perform the duty. It is possible Mr. Parker may not be able to deliver my order to the officer who commands the Division in the absence of Genl Sheaver before the arrival of the arms. In that event to prevent the possibility of a failure in a matter deemed so important to the safety of our fellow citizens in the quarter alluded to, I have to request you, or either of you to receive & take charge of the arms & ammunition when they be delivered by Capt. Harding or by Colo. Shannon (whom I authorised to receive & deliver them, if Capt. H. declined or refused to do so) until called for by my order or that of the commanding officer of the Division. Should the officer in command of the Division should be present I trust you will render such aid as he may stand in need of, & may be in your power, for

the safe keeping of the arms.

You may enquire my/ embarrassments in matters of this kind when I inform you, that the returns of the militia of the State do not furnish me a roll of the Regt officers, & I am compelled to direct my orders in the present case to the officer commanding the 6th Division without naming them.

I shall be glad to hear from you in relation to the subject of this communication by the return of my express.

I am, gentlemen
Very respectfully
Your Obt. Svt.
(Signed) C. C. Clay.

Executive Department
Huntsville April 22. 1836.

Capt. E. Harding:

Sir.

I have this evening received a letter from Selma, notifying me of the absence of Major Genl. Shearer, whom I had required to receive or designate an officer to receive & take charge of the arms & ammunition, required by my communication of the 19th inst. delivered by Cols. Shannon. I have despatched another order, by express, to the officer commanding the 6th Division of Alabama Militia, in the absence of Genl. Shearer, enclosed him a copy of my order to Genl S., & required him to execute it. If, however, on your arrival at Montgomery, neither Genl. Shearer, nor any other officer commanding in his absence, should be present to receive the arms & ammunition, I have authorized the Hon. Benajah S. Bibb, Cols. Jas. E. Belser & A. E. Beeson esqrs, or either of them to receive & take charge of the arms & ammunition, as my agents; & you will deliver them accordingly.

I am, Sir,
Very respectfully
Your Obt. Svt.
(Signed) C. C. Clay.

+ Note... The above is the order to Cols. Shannon from Gov. Clay, varying the address to Cols. & instead of Capt. H. substituting these lines for which you were despatched to "Mount Vernon" - for those which follow the word ammunition in the first section.

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War Department.
Natchitoches, La. 8th April 1836.

Sir:

The war in Texas which has of late assumed a sanguinary & savage aspect has induced the President of United States to require a considerable augmentation of Regular force to be concentrated upon this section of the national frontier, to which my attention has been particularly directed. He deems it to be the duty of the United States to remain entirely neutral & to cause their neutrality to be respected:- peaceably if practicable - forcibly if necessary.

The 33d Article of the Treaty with Mexico requires both of the contracting powers to prevent "by force all hostilities & incursions on the part of the Indians living within their respective boundaries so that the United States of America will not suffer their Indians to attack the citizens of the Mexican States" &c.

The provisions of this Article I am particularly instructed to cause to be enforced. And I have pursuant to instructions taken measures to make known to the various Indian tribes inhabiting that part of the United States bordering on the Mexican Territory, on the waters of the Red & Arkansas Rivers, the determination of the Government to prevent any such incursions into Texas, & have directed that the chiefs be called upon to inculcate upon their people the necessity of carefully abstaining from any violation of the above mentioned engagements & I have moreover informed them, pursuant to the orders of the President that I will not hesitate to use the force at my disposal for the purpose of preventing any such designs.

I have learned from several of our citizens entitled to credit that one Manuel Flores, a Mexican Spaniard, but for some years past a citizen of "Spanish Town" in this State, near the Sabine Ridge, has been lately commissioned by persons professing to act by authority of the Mexican Government, for the purpose of inducing the Indians in the Western Prairies on our side of the Boundary line to join them in the war of extermination now raging in Texas; & that with this view the agent Manuel Flores, accompanied by a Stranger has lately passed up the valley of the Red River & has already produced considerable excitement among the Caddo Indians. And I have very recently learned from several intelligent persons in Texas & others who have lately been there, that many of our Indians have gone over to the Texas side of the line.

These facts & circumstances present to me the important question whether I am to sit still & suffer these movements to be so far matured as to place the white settlements on both sides of the line wholly within the power of these savages or

whether I ought not instantly to prepare the means for protecting the frontier settlements & if necessary, compelling the Indians to return to their own homes & hunting grounds?

I cannot but decide in favor of the last alternative when this question presents. For nothing can be more evident than that an Indian war commencing on either side of the Line will as [redacted] that a lighted quick match must instantly explode a powder magazine would extend the conflagration to both sides.

But I am without mounted men the only description of force which will enable me to interpose an effectual check to the daily increasing danger which every intelligent citizen with whom I have conversed on the subject apprehends. And apprehending as I do that the delay of a month which it would require to submit this decision of the President of the United States might prove fatal to a large portion of the frontier inhabitants, I have determined to solicit of your Excellency a Battallion of volunteers consisting of eight or ten companies as many to be mounted as practicable to repair to this place as soon as may be convenient. To receive their arms & camp equipments at the U.S. Arsenal, Mount Vernon Ala.

Should the War in Texas be brought to a close without the apprehended Indian hostilities the volunteers will in that case be discharged forthwith.

I have the honor to be
with perfect respect
Your Obt. Svt.
Edmund P. Gaines
Major Genl Comdg.

His Excellency
Governor Clay
State of Alabama.

Executive Department
Tuskaloosa April 27th

Sir:

Your communication of the 8th inst. was received by the last mail.

I regret that I do not feel authorized under existing circumstances to comply with your request to furnish a Battallion of Volunteers, consisting of eight or ten companies for the branch of the public service proposed by you; I am persuaded had you known the danger to which a large portion of our population is at present exposed, you would have declined making any requisition for troops from Alabama.

The Creek Indians have lately manifested much

withheld, & indicated in various modes, the most unfriendly feelings towards the white inhabitants among whom they reside.

During the last five or six weeks, I have received communications from committees, appointed by public meetings, & from respectable individuals from one end to the other of the territory lately claimed & still occupied by that tribe, which have not already begun. Within the last two or three days I have received letters from Capt. Page of the U.S. 4, at Fort Mitchell, Major Howard commanding a Battalion of Georgia mounted Militia on the east side of the Chattahoochee one communication, by express, from a meeting of the citizens of Russell & Barbour counties, and another from the citizens of Irwinton, & its vicinity, also by express, all replete with facts justifying the apprehensions entertained by our citizens, that an Indian war is extremely probable, if not inevitable. It appears from the various sources of information referred to, that the Indians are in the habit of going to the plantations owned by & in the cultivation of the Whites & shooting down their cattle, breaking open & robbing their corn-cribs openly, & without any apparent desire of concealment; that if forbidden, or resisted they insult threaten, & even offer violence to the persons of the citizens; that they are frequently assembled in bodies of several hundreds, marching & countermarching, & evincing all the usual preparations for savage warfare; that they purchased, & are still endeavoring to purchase, large & unusual quantities of ammunition; & by the same mail which brot me your letter I received one of the 19th inst. dated at Montgomery, in which the writer (who is a highly respectable citizen) remarks - "information has been received here by the post Russell county, stating that the Indians are collecting in large bodies & fighting!" One of the communications, from public meeting, request & urge me to call into the field, immediately two thousand troops. - I have not, however yet complied with this request. Some of the inhabitants have been so strongly impressed with their danger, that they have removed their families into Georgia for safety.

I am so forcibly convinced that imminent danger is impending, that I have made requisitions on the Maj. Genls. of two Divisions bordering on the Creek territory, for troops to be raised, organized, & held in readiness to march on the shortest notice; & have made arrangements for the transportation & delivery of two thousand muskets & sufficient ammunition for an ordinary tour of Militia service with that number of arms at Montgomery.

under such circumstances, & in the absence of any express authority from the President of the United States, I trust I shall be excused for declining a compliance with your request.

I have the honor to be
very respectfully
Your most Obt. Svt.
(Signed) W. W. Clay.

Maj. Genl. Edmund P. Gaines.
Natchitoches.
La.

War Department
April 15th 1836

Sir,

I have had the honor to receive Your letter of March 22d with its enclosures and to lay it before the President.

It is the impression of the President that under the circumstances disclosed he would not be justified in ordering into service a Militia Corps for the purpose of observing the conduct of the Creek Indians. Before the President can exercise the power of calling out the Militia, there must either be a commencement of hostilities or just ground to apprehend them. It may undoubtedly at times be difficult to determine the proper boundary between precautionary & premature measures. But the facts disclosed in the communications You have transmitted, do not seem to show such a design to disturb the public tranquility on the part of the Creeks as to require the immediate organization of a force to keep them in subjection.

I have this day written to Major Genl. Scott, requesting him, should the danger become more obvious, to detach a portion of his force, as soon as the operations in Florida will permit, upon this duty. In the meantime however, should the conduct of the Creek Indians be such as to leave no doubt of their hostile intentions, I am instructed by the President to inform you that he will sanction the calling out of such a force for the purpose of subduing them, as might be found necessary previously to the adoption of any other measures on the part of the Government or to the interposition of Genl. Scott.

I have to request, however, that no force should be called out until the exigency provided for in the constitution exists, and the hostile designs of the Indians become apparent.

Orders will be given to the commanding officer at Mount Vernon to issue arms to any militia that may be found necessary on your requisition.

I have written to the agents of the Government among the Creek Indians, to warn them against the commission of any act of hostilities and to circulate among them a message, which by the direction of the President has been prepared for them.

In order to be prepared to act as speedily as possible in any contin-

Gen'l directions have been given to the troops at Fort Monroe & New York to hold themselves in readiness to move at a moments warning. Orders have also been given to the company at the arsenal at Augusta, to join the company now at Fort Mitchell

I enclose for your information a copy of the message which has been sent to the Creek chiefs.

Very respectfully Sir
Your Obt Servt
Lew Cass

His Excellency C. C. Clay
Gov. of Alabama
Tuskaloosa

War Department
April 15th 1836.

Sir,

I have had the honor to receive your letter of the 19th ultimo with its enclosures, but I have been prevented by indisposition from giving it an earlier answer.

Instructions have been given to Major General Scott to institute a court of enquiry to investigate the matter connected with the failure to issue arms to the regiment of Alabama Militia ordered into service by you on the requisition of Genl. Scott, communicated by Colo. Lindsey.

Very respectfully
Your most obt. Servt.
Lew Cass.

His Excellency
C. C. Clay
Governor of Alabama,
Tuskaloosa,
Alabama.

Executive Department.
Tuskaloosa, April 30th 1836.

Sir,

I am informed by Colo. Dent, who arrived last night in the Steamer Ivanhoe, that the Regiment of Alabama Volunteers, who have been employed in the service of the United States against the Seminole Indians, in Florida, are about to return to Mobile, under the orders of Genl. Scott, and be there disbanded, without any provision for their transportation to their homes.

This would be unjust to men, who are already exhausted by the fatigues and dangers of a campaign, in which they were induced to engage with a patriotism and promptitude never excelled; but, more especially, to those who are laboring under honorable wounds, and the diseases of the climate, in which they have served their country.

You are, therefore, authorized to transport by Steam-boats the Battalion which went from the Second division to this or such other place as may, in the opinions of Captains of companies, be more convenient for their debarkation.

To prevent delay in the necessary arrangements I have authorized Col. Dent to contract with the proprietors or commanders of steam-boats for the transportation of the troops. If necessary, however, you will give him all the aid that may be required.

I am, Sir,
Very respectfully,
Your Obt. Svt.
(Signed) C. C. Clay.

Lieut. Col. Geo. M. Brooke
Mobile,
Ala.

Note— The foregoing is a transcript of a letter addressed at the same time to Col. Dent, at the same place, substituting these words— "Sixth Division, to such place on the Alabama river" — for those which intervene the asterisks in the second paragraph.

Executive Department,
Tuskaloosa, April 30th 1836

Sir,

Having been informed by you, that the Regiment of Alabama Volunteers, which has been in the service of the United States against the Seminole Indians in Florida, will shortly return to Mobile under the orders of Genl. Scott, and be there disbanded without any provision for their transportation to their homes, and deeming it unjust that those who have served their country gallantly and honorably should be subjected to a march of several hundred miles on foot, (exhausted as they must be by the fatigues and dangers they have undergone) or submit to the individual payment of the expenses of their transportation; You are hereby authorized to contract for the conveyance of all the troops, on steam-boats, to such point on the Alabama or Black warrior rivers, as may be determined by Captains of companies most convenient to their respective places of residence. In making such contracts you will consider it your duty to pay as strict regard to economy as may be consistent with the safety and comfort of the troops. For those who are laboring under wounds or disease You will, of course take care to make the most comfortable arrangements practicable.

I am Sir,
Very respectfully,
Your Obt. Svt.
(Signed) C. C. Clay.

Col. Dennis Dent.

Executive Department,
Tuskaloosa May 6th 1836.

Major Genl. Gilbert Shearer.

Sir,

Yours of the 2d inst. reached here by the last

I remark it is stated in a Montgomery paper that orders have been received by Brigadier Genl Mathews of the 6th Division, & Scott of Genl Smith's Division for each of them to hold a regiment in readiness for immediate service" - and desire to know whether you are to deliver the arms under your control, except in the event of troops being ordered to march.

In reply, I have to say, there must be some mistake in the article you mention. In your absence I forwarded a copy of my order of the 18th ult. (which had been addressed to you) in a short note, not extending its authority to the officer next in command. This is the only order I have directed to your Division recently. Being now on place, you will of course attend to its execution agreeably to your own discretion.

Subsequently addressed an order to Major Genl Brown, requiring him to raise and hold in readiness one Battalion, of five companies from his Division; and gave him substantially the same authority, in other respects, that I had vested in you, as to the defence of our citizens. At the same time I authorized him, to send for and obtain, immediately, if he shd not prefer two hundred of the muskets, and a proportionable quantity of the ammunition, deposited at Montgomery; and directed him to forward a bond for the safe keeping and return of the arms, according to the requisition of our statute. Except those just mentioned I do not expect the arms &c to be distributed, or used, unless they should be required for actual service.

From recent information I concur with you in the opinion that we shall not probably have a war with the Creeks. But nothing can be lost by a state of preparation for any contingency that may arise; and I trust you will hold your volunteer companies in readiness for prompt action, in the event of hostilities, as requested in my communication of the 18th ult.

Very respectfully
Your Obt. Svt.
(Signed) C. C. Clay

Copy of the order to the Captains, who had volunteered their services and those of their respective companies.

No. 1.

Executive Department,
Tuskaloosa, May 14th 1836.

Sir,

When you arrived at this place with your company in February last, and could not be received as part of the Florida regiments the requisition from this Division having been completed - I accepted the tender of your services on the contingency they should become necessary, under any future requisition of troops for Florida or against the Creek Indians. Very recent information from some of the counties, embracing part of that tribe, induces me to apprehend, that the contingency alluded to may occur, if it has not already

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The object of this note is to apprise you that your services may, probably, be required; & to request you to notify your Company & hold them in readiness to march on the shortest notice. You will, of course, await further orders; but, should I ascertain that any considerable portion of the Creeks have engaged, or intend to engage, in hostilities against the white inhabitants, you shall receive further notice, in the shortest practicable time.

Very respectfully,
Your Obt. Svt.
Signed C C Clay.

Capt. Thomas Jones.
Jno. H. Lawson
Denton H. Valliant.
Jesse Hodges.
Jos. J. Cook
D. U. Hollis.
G B Friersen.

No. 2.

Executive Department,
Tuskaloosa, May 16. 1836.

Sir,

I addressed you by mail on the 4th inst, intimating the probability that your services, & those of your company, might be required, in a short time against the Creek Indians; and desiring you to hold your company in readiness to march on the shortest notice. My apprehensions are realized. An express has just reached me, from Montgomery, which left there yesterday, bringing authentic intelligence sufficient to induce the belief that hostilities will be general on the part of the lower Creeks, against the white inhabitants — and they may become still more extensive. — It is, however, certain that the war has begun. — Therefore lose not a moment's time, mount your company, if possible, and hasten to Montgomery with all possible despatch — where you will receive further orders.

I have lately received and deposited in the State Arsenal in this place, a sufficient number of Hall's rifles to arm a Battalion.

You will therefore take this place in your way, and arm and equip your company here, as far as practicable. I will give orders to Colo. Chas Lewis the Quarter Master General accordingly.

I shall leave here to-night, or early in the morning for Montgomery, which place I shall make my Head Quarters, for the present.

Write on receipt of this, and direct to Montgomery.

Very respectfully
Your Obt. Svt.
Signed C C Clay.

Capt. Thos. Jones.
Jno. H. Lawson & others.